

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

**In re:**

**Richard C. Forster,**

**Debtor(s).**

**Case No. 16-11927-RGM**

**Chapter 7**

**Motion of Acting United States Trustee to  
Reopen this Case and Direct the Appointment of a Trustee**

Pursuant to Federal Rules of Bankruptcy Procedure 5010 and 11 U.S.C. §350(b), John P. Fitzgerald, III., Acting United States Trustee for Region Four, hereby requests that the Court enter an order reopening this case and directing the appointment of a trustee. In support of this motion states as follows:

1. The Court has jurisdiction to hear and decide this matter. 11 U.S.C. § 1334.

This is a core proceeding. 11 U.S.C. § 157(a)(2)(A).

2. The Court has the authority to reopen this case. 11 U.S.C. § 350(b).

3. The Court has the authority to direct the appointment of a trustee. Bankruptcy Rule 5010.

4. On June 1, 2016, the Debtor filed a petition for relief under chapter 7 of the Bankruptcy Code. *Docket No. 1.*

5. H. Jason Gold was appointed trustee (“the Trustee”). *Docket No. 4.*

6. The Debtor received a Discharge on September 28, 2016. *Docket No. 13.*

7. On October 3, 2016, the case was closed. *Docket No. 15.*

Michael T. Freeman  
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Office of the United States Trustee  
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8. On or about May 26, 2022, the Trustee was advised that the Debtor, Richard C. Forster, has been offered a gross award of \$110,318.25 for damages related to a product liability claim against a product manufacturer for the physical injuries caused as a result of an alleged product defect on September 10, 2015.

9. The Debtor did not schedule any claims against third parties on Schedule A/B: Property at Line 33. *Docket No. 1 at 14.*

10. The Debtor did not schedule any claims against third parties as exempt. Schedule C – The Property You Claim As Exempt. *Docket No. 1 at 16-18.*

11. Federal Rules of Bankruptcy Procedure 5010 states that a case may be reopened on motion of the debtor or other party in interest pursuant to § 350(b) of the Code and that a case trustee shall not be appointed by the United States Trustee unless the court determines that a trustee is necessary to protect the interests of creditors.

12. Pursuant to 11 U.S.C. § 350(b) “a case may be reopened in the court in which such case was closed to administer assets...”

13. Based upon the information above, the Acting United States Trustee requests that the case be reopened so that a trustee can be appointed to investigate undisclosed assets that may be property of the estate.

WHEREFORE, John P. Fitzgerald, III, Acting United States Trustee for Region 4, requests that the Court enter an order reopening this case and directing the appointment of a trustee.

Date: June 2, 2022

JOHN P. FITZGERALD, III  
Acting United States Trustee, Region 4

By: /s/ Michael T. Freeman  
Michael T. Freeman  
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**Certificate of Service**

I hereby certify that on June 2, 2022, I electronically filed the foregoing Motion with the Clerk of the Court and, served it on the parties listed below who are registered Users of the of the CM/ECF system, by the Notice of Electronic filing generated by the Court's ECF system; and upon all the parties listed below, by first class mail, postage prepaid.

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/s/ Paula Blades  
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